

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

WATER DIVISION

RESOLUTION NO. W-4496

September 23, 2004

RESOLUTION

(RES. W-4496), SOUTHERN CALIFORNIA WATER COMPANY (SCWC). ORDER AUTHORIZING THE REVISION OF THE LANGUAGE IN SCWC'S RULE NO. 14.1, MANDATORY WATER CONSERVATION AND RATIONING PLAN (RULE NO. 14.1), TO CONFORM TO THE LANGUAGE APPROVED BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION IN DECISION (D.) 91-10-042.

SUMMARY

By Advice Letter (AL) No. 1169-W, filed on June 15, 2004, SCWC seeks to modify its Rule No. 14.1 to conform to the language approved by D.91-10-042. The advice letter was modified on August 4, 2004, to incorporate the exact language of the decision. This resolution approves SCWC's request.

BACKGROUND

In October of 1991, D.91-10-042 instituted Rule No. 14.1. The standard language to be used in Rule No. 14.1 is found in Appendix B. Rule No. 14.1 allows utilities to implement voluntary rationing, and upon Commission approval, implement mandatory rationing in order to mitigate the effects of water shortages on the state's regulated water utilities and their customers.

In April 1991, the Commission approved SCWC's AL 833-W authorizing Rule No. 14.1, which had been filed prior to the issuance of D.91-10-042. That Rule No. 14.1 was specific to the Arden-Cordova district. On June 11, 2003, SCWC filed Advice Letter No. 1128-W to update Rule No. 14.1. The Commission's Water Division objected to the proposed update and suggested that SCWC file an advice letter to restore the language in Rule No. 14.1 to the language adopted in D.91-10-042. SCWC withdrew Advice Letter No. 1128-W, and filed AL No. 1169-W.

DISCUSSION

The language to which SCWC's Rule No. 14.1 should comply is found in Appendix B of D.91-10-042. SCWC had a Rule No. 14.1 in place that did not conform to D.91-10-042. SCWC's original filing of AL 1169-W did not follow this language closely enough. There was some missing language as well as some additional language in the original filing that had not been approved in D.91-10-042. Staff requested that SCWC modify AL 1169-W to follow the language in the decision. SCWC sent a revised version of the tariff sheets on August 4, 2004. The Rule No. 14.1 in this filing will supplant the old rule.

NOTICE AND PROTESTS

There was one protest to AL 1169-W, sent July 4, 2004, to which SCWC responded on July 26, 2004. The protest stated that SCWC is not adequately replacing old leaking pipes or maintaining its infrastructure in a reasonable fashion. The protest also stated that a nearby ski resort has been pumping millions of gallons of water out of the area's watershed annually. SCWC's response stated that they are replacing aging infrastructure at a rate approved by the Commission, but that the current situation seems to be related to a lack of precipitation in the area. SCWC also stated that they are looking into the concerns regarding the ski resort.

FINDINGS

1. SCWC filed a revised Advice Letter 1169-W to establish a Rule No. 14.1 in compliance with D.91-10-042.
2. The proposed Rule No. 14.1 conforms to the language in D.91-10-042.
3. AL No. 1169 should be approved.
4. This is an uncontested matter subject to public notice and comment exclusion provided in Public Utilities Code Section 311(g)(3).

THEREFORE IT IS ORDERED that:

1. Southern California Water Company's request to change its Rule No. 14.1 is approved. The effective date of the revised rule is five days after the effective date of this resolution.
2. This resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted at a conference of the Public Utilities Commission of the State of California held on September 23, 2004; the following Commissioners voting favorably thereon:

STEVE LARSON
Executive Director

MICHAEL R. PEEVEY
President

CARL W. WOOD
LORETTA M. LYNCH
GEOFFREY F. BROWN
SUSAN P. KENNEDY
Commissioners